

STATE OF HAWAII
HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. OSH 2003-6
)	
DIRECTOR, DEPARTMENT OF LABOR)	ORDER NO. 49
AND INDUSTRIAL RELATIONS,)	
)	PRETRIAL ORDER
Complainant,)	
)	
vs.)	
)	
HAWAIIAN DREDGING CONSTRUCTION)	
CO.,)	
)	
Respondent.)	
_____)	

PRETRIAL ORDER

Pursuant to the representations of counsel for the parties at the initial conference held on June 4, 2003, IT IS HEREBY ORDERED THAT:

1. The issues to be determined are:

Whether Respondent violated Hawaii Administrative Rules § 12-110-2(f)(1)(A) as described in Citation 1, Item 1.

- a. If so, is the characterization of the violation as “serious” appropriate? If not, what is the appropriate characterization?
 - b. If so, was the imposition and amount of the proposed \$1,100.00 penalty appropriate?
2. Trial is scheduled on October 7, 2003 at 9:30 a.m. in the Board’s hearing room, Room 434, 830 Punchbowl Street, Honolulu, Hawaii.
 3. Discovery deadlines are established as follows:
 - a. Live witness identification July 18, 2003
 - b. Discovery cut-off September 4, 2003

4. Hereafter, this Pretrial Order shall control the course of proceedings and may not be amended except by consent of the parties and the Board, or by order of the Board.

DATED: Honolulu, Hawaii, June 5, 2003.

HAWAII LABOR RELATIONS BOARD


BRIAN K. NAKAMURA, Chair


CHESTER C. KUNITAKE, Member


KATHLEEN RACUYA-MARKRICH, Member

NOTICE TO EMPLOYER

You are required to post a copy of this Order at or near where citations under the Hawaii Occupational Safety and Health Law are posted at least five working days prior to the conference date. Further, you are required to furnish a copy of this Order to a duly recognized representative of the employees at least five working days prior to the trial date.

Copies sent to:

Herbert B.K. Lau, Deputy Attorney General
Gary M. Yokoyama, Esq.